

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SARA WELLMAN,

Plaintiff,

DECISION AND ORDER

07-CV-6304L

v.

METLIFE INSURANCE COMPANY,

Defendant.

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On January 12, 2010 (Dkt. #28), defendants requested that the Court amend its December 15, 2009 Decision and Order (Dkt. #26) to more fully explicate the holding of a case cited therein. I note that the questioned citation was employed with the very narrow purpose of distinguishing the facts in that case from those presented here, and thus focused upon a particular factual distinction. The questioned citation did not purport to offer an exhaustive description of the holdings in the cited case, and thus its failure to do so does not, in my view, amount to an unclear statement of the law. As such, I decline to amend the Decision and Order.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER

United States District Judge

Dated: Rochester, New York  
January 21, 2010